

LAWLER, METZGER, MILKMAN & KEENEY, LLC

2001 K STREET, NW
SUITE 802
WASHINGTON, D.C. 20006

REGINA M. KEENEY

PHONE (202) 777-7700
FACSIMILE (202) 777-7763

October 7, 2005

BY ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: CC Docket No. 94-102
Ex Parte Presentation

Dear Ms. Dortch:

On Thursday, October 6, 2005, Luisa L. Lancetti, Vice President – Government Affairs, Wireless Regulatory, Sprint Nextel Corporation (“Sprint Nextel”) and I held separate meetings with John Branscome, Acting Legal Advisor for Wireless, Technology, and International Issues to Commissioner Kathleen Abernathy, and Michael Wilhelm, Jeff Cohen, and David Siehl of the Wireless Telecommunications Bureau, regarding Sprint Nextel’s September 29, 2005 Request for Limited Waiver of the Commission’s Enhanced 911 (“E911”) rules.

In these meetings, we explained that there is good cause for granting Sprint Nextel a limited and temporary waiver of the December 31, 2005 E911 implementation deadline, which requires that 95% of Sprint Nextel’s active subscriber handsets be location capable. As detailed in its September 29 request, Sprint Nextel’s inability to meet the December 2005 benchmark for its iDEN network is the result of a number of factors beyond its control, including the effects of a latent software defect in the GPS-enabled handsets provided by Motorola. We also described Sprint Nextel’s unprecedented efforts to overcome these factors and comply with the December 2005 requirement, as well the additional steps that Sprint Nextel will take in order to meet the Commission’s 95% benchmark by December 31, 2007.

Marlene H. Dortch
October 7, 2005
Page 2

Pursuant to section 1.1206(b)(2) of the Commission's rules, 47 C.F.R. § 1.1206(b)(2), this letter is being filed electronically for inclusion in the public record of the above-referenced proceeding.

Sincerely,

/s/ Regina M. Keeney
Regina M. Keeney

cc: John Branscome
Michael Wilhelm
Jeff Cohen
David Siehl